

REMARKS

This Amendment is being filed in response to the Office Action mailed November 15, 2010, which has been reviewed and carefully considered. Reconsideration and allowance of the present Application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3 and 5-8 are pending in this Application, where claims 1 and 7 are independent.

In the Office Action, the previously filed amendment is objected to under 35 U.S.C. §132(a) for allegedly adding new matter by omission of crossing wires in FIG 5a and omission of related description. This allegation is respectfully traversed. At the outset, the changes to the description are merely deletions of what was previously added by the Amendment filed on July 22, 2010, thus reverting back to the original specification. It is not understood how an omission or deletion of text that was previously added, to revert back to the original specification, may be deemed new matter. Clarification is respectfully requested.

Further, regarding the omission of crossing wires in FIG 5a, such crossing wires are clearly an obvious error that would be recognized by one of ordinary skill in the art, as admitted by the Examiner on page 6, lines 1-2 of the Office Action. It is alleged on page 2, lines 10-13 of the Office Action that:

In this case, the omission of the crossing wires in figures 5a, and the omission of the description how figures 5a and 6b work constitutes new matter because the device must now work in some fashion not previously set forth nor obvious to the Examiner.

This allegation is respectfully traversed. As noted above, the omission of the description reverts back to the ORIGINAL specification. Further, the omission of the crossing wires in FIG 5a does NOT make the device "work in some fashion not previously set forth," as alleged. Rather, the omission of the crossing wires in FIG 5a indeed makes the device work in the **VERY SAME fashion previously set forth**, and clearly described in the ORIGINAL specification, such as described from page 4, line 26 to page 5, line 5 of the specification as originally filed (illustrative emphasis provided):

When the operating member 8 is in the position shown in Figure 5a, a first pole of the power source 30 is connected via the conductors 32, 36 and 34 to a first electrical contact of the motor 16, while the other, second pole of the power source 30 is connected via the conductors 33, 36 and 35 to the other, second electrical contact of the motor 16.

Sliding the operating member 8 in the direction indicated by arrow E in Figure 5a brings the operating member 8 into the position shown in Fig. 5b. In this position of the operating member, the first pole of the power source 30 is connected via the conductors 32, 36 and 35 to the second electrical contact of the motor 16, while the other, second pole of the power source 30 is connected via the conductors 33, 36 and 34 to the first electrical contact of the motor 16. Sliding the operating member 8 in the direction indicated by arrow F in Fig. 5b moves the operating member 8 into the position shown in Fig. 5a. The directions E and F indicated in Figs. 5a and 5b correspond to the directions A indicated in Fig. 3. Thus the reversing means for reversing the sense of rotation of the motor 16 are integrated in the operating member 8 for putting the trimmer into and out of operation.

Omission of the crossing wires in FIG 5a merely corrects an obvious error and

provides a figure which corresponds to the description in the ORIGINAL specification, such as the above noted portion of the specification, where now, corrected FIG 5a shows that "a first pole of the power source 30 is connected via the conductors 32, 36 and 34 to a first electrical contact of the motor 16, while the other, second pole of the power source 30 is connected via the conductors 33, 36 and 35 to the other, second electrical contact of the motor 16." One skilled in the art would clearly understand and know that such a description in the ORIGINAL specification is exactly what is now shown in FIG 5a, without the crossing wires in FIG 5a, which are admitted by the Examiner to be clearly an obvious error that would be recognized by one of ordinary skill in the art (See page 6, lines 1-2 of the Office Action)

It is respectfully submitted that omission in the description to revert back to the original specification, and the omission of crossing wires in FIG 5a to correct an obvious error, are not new matter. It is respectfully submitted that one skilled in the art would clearly understand that omitting the crossing wires in FIG 5a makes FIG 5a correspond to its description in the original specification, and thus such an omission is not new matter.

It is respectfully submitted that no new matter has been introduced by the omission in the description to revert back to the original specification, and by the omission crossing wires in FIG 5a to correct an obvious error and to make FIG 5a corresponds to its description in the original specification. Accordingly, withdrawal of this objection under 35 U.S.C. §132(a) is respectfully requested.

In the Office Action, claims 1, 3 and 5-8 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. This rejection is respectfully traversed. It is respectfully submitted that the Application including the figures, fully complies with the written description requirement, and reasonably conveys that the inventor, at the time the Application was filed, had possession of the claimed invention.

In particular, one skilled in the art would have no trouble understanding from the specification and drawings that the inventors, at the time of the Application was filed, had possession of the claimed invention as recited in claims 1, 3 and 5-8, such as described in the above noted portion of the specification, namely, from page 4, line 26 to page 5, line 5 of the specification as originally filed, which is repeated below for convenience (illustrative emphasis provided):

When the operating member 8 is in the position shown in Figure 5a, a first pole of the power source 30 is connected via the conductors 32, 36 and 34 to a first electrical contact of the motor 16, while the other, second pole of the power source 30 is connected via the conductors 33, 36 and 35 to the other, second electrical contact of the motor 16.

Sliding the operating member 8 in the direction indicated by arrow E in Figure 5a brings the operating member 8 into the position shown in Fig. 5b. In this position of the operating member, the first pole of the power source 30 is connected via the conductors 32, 36 and 35 to the second electrical contact of the motor 16, while the other, second pole of the power source 30 is connected via the conductors 33, 36 and 34 to the first electrical contact of the motor 16. Sliding the operating member 8 in the direction indicated by arrow F in Fig. 5b moves the operating member 8 into the position shown in Fig. 5a. The directions E and F indicated in Figs. 5a and 5b correspond to the directions A indicated in Fig. 3. Thus the reversing means for reversing the sense of rotation of the motor 16 are

integrated in the operating member 8 for putting the trimmer into and out of operation.

As clearly described in the above noted portion of the specification and shown in FIGs 5a-5b, the polarity of the power provided to the motor 16 is reversed by reversing means, where "the reversing means for reversing the sense of rotation of the motor 16 are **integrated** in the operating member 8 for putting the trimmer into and out of operation." (Specification, page 5, lines 3-5; emphasis added) One skilled in the art would clearly understand that the inventor, at the time the Application was filed, had possession of the claimed invention, and would know how to make and use reversing means that reverses the polarity of power provided to a motor, such as evidence by the presently cited prior art, namely, U.S. Patent No. 3,213,536 (Futterer). In particular, Futterer dating back to 1963, clearly shows that "a reversing switch 28" that reverses power polarity to a motor 27 is well known even in 1963, such as described from column 3, line 65 to column 4, line 19.

Further, FIGs 5a-5b are functional diagrams, and not intended to be blueprints or industrial diagrams for manufacturing the device. One skilled in the art, even back in 1963 as evidenced by Futterer, would clearly know how to make and use a device having a reversing switch based on the present Application, and understand that the inventor, at the time the Application was filed, had possession of the claimed invention. Even Futterer does not provide great details regarding the reversing switch 28 shown in FIG 4 of Futterer, since one skilled in the art would easily know how to make and use a reversing switch, even back in 1963. Reversing switches are readily available and have been available for a

long time, and there is no need to provide great details regarding how to make and use reversing switches, devices or means to reverse rotation of a drive structure, as recited in the claims.

It is respectfully submitted that the present invention as recited in claims 1, 3 and 5-8 fully complies with the written description requirement, where FIGs 4a-4b and page 4, lines 4-20 clearly describe "reversing means for reversing at least a portion of the drive structure between a first sense of rotation and a second, opposite sense of rotation," as recited in claim 1. Further, FIGs 5a-5b, as amended, and page 4, line 26 to page 5, line 5 clearly describe a motor which is provided with power of reverse polarity, which may be done using well known means as easily recognized from the present Application by those skilled in the art, such as the reversing switch 28 of Futterer. Accordingly, withdrawal of this rejection of claims 1, 3 and 5-8 under 35 U.S.C. §112, first paragraph is respectfully requested.

In the Office Action, claims 1-3, 5 and 7 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 3,213,536 (Futterer) and in view of U.S. Patent No. 5,701,673 (Ullmann). Further, claims 1-3 and 5-8 are rejected under 35 U.S.C. §103(a) over Futterer in view of Ullmann and U.S. Patent No. 4,355,464 (Bergsma). It is respectfully submitted that claims 1, 3 and 5-8 are patentable over Futterer, Ullmann and Bergsma for at least the following reasons.

Futterer is directed to dry shaver having two cutters. A drive shaft 1 is selectively

rotated in either direction. The shaft is rotatable in one direction for driving a long hair cutter 15 and is rotatable in the opposite direction for driving the second cutter a short hair cutter 16, as shown in FIGs 4-5. As recited on column 3, lines 29-44 and line 75, upon or in response to reversing the rotation direction of the drive shaft 1, via a reversing switch 28, either the long or short hair cutters 15, 16 are is driven. That is, driving the long or short hair cutters 16, 15 is achieved by "rocking the switch 28 in the opposite switching position." (Futterer, column 4, lines 21-22) In Futterer, as clearly shown in FIG 5, the long hair cutter 15 is not retractable, and does not have two positions, such as a retracted position and an operation position. Rather, as correctly noted by the Examiner on page 4, line 1 of the Office Action, the Futterer trimmer "has only one position." (Office Action, page 4, line 1; emphasis added)

Ullmann is directed to a dry shaving apparatus having a switch 4 with four positions, namely:

- a first OFF position as shown in FIG 2a;
- a first ON position as shown in FIG 3a, where the trimmer 7 is in a retracted position;
- a second ON position as shown in FIG 4a, where the trimmer 7 is in an extended or operating position; and
- a second OFF position as shown in FIG 5a, where the trimmer 7 is de-activated but remains in the extended position P (as shown in FIGs 1, 4a and 45).

That is, in the second OFF position shown in FIG 5a, the Ullmann trimmer 7 is turned **OFF** by the switch 4, but **REMAINS in the extended** position P. Thus, the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs "**in response** to an action of **moving the trimmer** between the retracted position and the operation position using the operating member," as recited in independent claim 1, and similarly recited in independent claim 7. Ullmann does not even disclose or suggest, and is completely silent about, any reversing device configured to reverse the drive direction.

It is respectfully submitted that the Futterer and Ullmann, alone or in combination, do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 7 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the reversing means are **integrated** in the operating member and co-operate with the trimmer for reversing said sense of rotation **in response** to an action of **moving the trimmer between the retracted position and the operation position using the operating member**.

**Reversing** means being **integrated** in an operating member to **move** a trimmer between the retracted position and the operation position is nowhere disclosed or suggested in Futterer and Ullmann, alone or in combination. Rather, the trimmer in Futterer "has only one position," and the Ullmann trimmer 7 clearly is not turned on or off, and no rotation reversing occurs "**in response** to an action of **moving the trimmer** between the retracted position and the operation position using the operating member," as



recited in independent claim 1, and similarly recited in independent claim 7.

Rather, the Ullmann trimmer 7 is turned **OFF** by the switch 4, but **REMAINS in the extended** position P, as clearly shown in FIG 5a of Ullmann. Thus, Ullmann teaches away from having "reversing means [that] are integrated in the operating member and co-operate with the trimmer for **reversing** said sense of rotation **in response to an action of moving the trimmer between the retracted position and the operation position** using the operating member," as recited in independent claim 1, and similarly recited in independent claim 7.

A reversing device which is **integrated** in a switch, where the rotation sense is automatically **reversed by moving the trimmer** between retracted and operation positions, is nowhere disclosed or suggested in Futterer and Ullmann, alone or in combination. Bergsma is cited to allegedly show other features and does not remedy the deficiencies in Futterer and Ullmann.


Accordingly, it is respectfully requested that independent claims 1 and 7 be allowed. In addition, it is respectfully submitted that claim 3, 5-6 and 8 should also be allowed at least based on their dependence from independent claims 1 and 7, as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections

and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present Application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
February 8, 2011

**THORNE & HALAJIAN, LLP**  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101